



# City Council Agenda

Council President  
**Brad Castillo**

Councilmembers

**Tom Boyajian**  
**Brian Calhoun**  
**Mike Dages**

**Jerry Duncan**  
**Henry T. Perea**, Acting President  
**Cynthia Sterling**

City Manager  
**Daniel G. Hobbs**

City Clerk  
**Rebecca E. Klisch , CMC**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

**TUESDAY, MAY 18, 2004**

***If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. The agenda is available on [www.ci.fresno.ca.us](http://www.ci.fresno.ca.us). The Council meeting can also be heard live at the same web site address.***

## **8:30 A.M. ROLL CALL**

Invocation by Councilmember Dages

Pledge of Allegiance to the Flag

Special Recognition by the City Manager

Proclamation of "BIKE WEEK" - Mayor Autry and All Councilmembers

Proclamation of "SUNNYSIDE HIGH SCHOOL CHAMBER CHOIR DAY" - Councilmember Dages

Proclamation of "NATIONAL PUBLIC WORKS WEEK" - Mayor Autry and All Councilmembers

***Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. For each matter considered by the Council, there will first be a staff presentation, followed by a presentation from the project applicant. Testimony from those in attendance will then be taken. All testimony given will be limited to three minutes per person.***

***The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.***

Approve minutes of May 11, 2004

**Action Taken:**

Councilmember Reports and Comments

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

1. **GENERAL CONSENT CALENDAR**

**(All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 10:30 a.m.**

- A. \* Approve a Professional Services Agreement with Technicon Engineering Services, Inc., (Technicon), for testing and special inspection services for the Convention Center parking structure - Public Works Dept.

**Action Taken:**

- B. \* Approve a Professional Design Services Agreement with Cooper Puga Management, Inc., (CPM), for construction management services for the Convention Center parking structure - Public Works Dept.

**Action Taken:**

- C. **RESOLUTION** - Authorizing the application for the U.S. Department of Justice Office of Community Oriented Policing COPS in Schools Grant Program and the completion of related documents - Police Dept.

**Action Taken:**

- D. Request approval to change the name of the Fresno Chandler Downtown Airport to Fresno Chandler Executive Airport - Airports Dept.

**Action Taken:**

1.

**GENERAL CONSENT CALENDAR CONTINUED**

- E. Approve Fresno Yosemite International (FYI) Airport Military Construction Cooperative Agreement BAK-14 construction on Runway 29R - Airports Dept.  
**Action Taken:**
- F. Approve the proposed amendments to the FY 1996 through 1999 Annual Action Plans deleting three projects previously funded through the Community Development Block Grant (CDBG) program - Planning and Development Dept.  
**Action Taken:**  
1. \* **RESOLUTION** - 85<sup>th</sup> amendment to to AAR No. 2003-209 appropriating \$256,100 for the purpose of repaying the funds to the Community Development Block Grant (CDBG) line of credit  
**(Requires 5 affirmative votes)**  
**Action Taken:**
- G. Approve appointment of Beatrice Johnson to the Fresno-Madera Area Agency on Aging Board - Mayor Autry  
**Action Taken:**
- H. \* Award a contract to American Paving Company of Fresno CA for Lewis S. Eaton Trail Riverside Section (Phase IB) - General Services Dept./Public Works Dept.  
**Action Taken:**
- I. \* Award a contract to Insituform Technologies of Chesterfield, MO for construction of sewer rehabilitation in Airways Golf Course and Shields Avenue - General Services Dept./Dept. Of Public Utilities  
**Action Taken:**
- J. Approve the sale of surplus land from the Grantland Trunk Sewer Project near Sierra and Hayes to Lennar Fresno, Inc.- Public Works Dept.  
**Action Taken:**
- K. Approve acquisition of two (2) street easements from the Margaret M. Jensen Revocable Trust, for the widening of Herndon Avenue, between Polk and Weber - Public Works Dept.  
**Action Taken:**
- L. Approve the purchase of land which the City has been leasing as a storm water retention on Market Street in Highway City (APN 508-082-02) - Public Works Dept.  
**Action Taken:**
- M. **RESOLUTION** - Allowing for the installation of a "No Stopping of Vehicles Over 6 Feet in Height" zone on Kings Canyon Road between Phillips and Fowler Avenue (State Route 180 - zone approved by Caltrans) - Public Works Dept.  
**Action Taken:**

1. **GENERAL CONSENT CALENDAR CONTINUED**

- N. \* **RESOLUTION** - 66<sup>th</sup> amendment to AAR No. 2003-209 appropriating \$53,000 to the Public Works capital budget for the installation of bicycle lanes: ***(Requires 5 affirmative votes)*** - Public Works Dept.  
**Action Taken:**
1. Bullard Avenue between First Street and Cedar Avenues Agreement No. 02-008, amount of \$10,064.
  2. Fruit Avenue between McKinley and Olive Avenues Agreement No. 02-009, amount of \$11,792
  3. Ashlan Avenue between Golden State and West Avenue Agreement No. 02-010, amount of \$22,425
  4. Ashlan Avenue between Cedar Avenue and First Street Agreement No. 02-011, amount of \$8,719
- O. Affirm appointment of David Cowin to the Northeast Area Plan and Implementation Committee - Councilmember Duncan  
**Action Taken:**
- P. **RESOLUTION** - Approving the Final Map of Tract No. 5010 and accepting dedicated public uses therein; authorize the Public Utilities Director, Public Works Director, and the Planning and Development Director to execute the necessary  
**Action Taken:**

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

**9:30 A.M. JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of April 27 and May 4, 2004

**Action Taken:**

- A. Receive report from Fresno West Coalition for Economic Development, 'West Fresno Community Vision Plan' for discussion and staff direction - Councilmember Sterling

**Action Taken:**

**ADJOURN**

**10:00 A.M. HEARING** to consider Community Facilities District No. 2, Annexation No. 68 Final Tract Map No. 5163 -Public Works Dept. ***(Continued to May 25, 2004 @ 10:00 a.m.)***

**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**10:05 AM #1 HEARING** to consider Rezone Application No. R-04-01, and environmental findings, filed by Rosie Hong Truong, for a 2.22-acre parcel of land located on the northeast corner of N. Marks and W. McKinley Avenues - **(Property located in District 3)** - Planning and Development Dept.

**Action Taken:**

- a. Consider and adopt Environmental Assessment No. R-04-01, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130)

**Action Taken:**

- b. **BILL** - Amending the Official Zone Map to rezone from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the C-1/UGM (*Neighborhood Shopping Center/Urban Growth Management*) zone district

**Action Taken:**

**10:05 AM #2 HEARING** to consider Rezone Application No. R-03-56, and environmental findings, filed by Sid DeLa Torre on behalf of Robert T. Do, for a 17.12-acre parcel of land located on the southwest corner of W. Kearney Boulevard and S. Crystal Avenue - **(Property located in District 3)** - Planning and Development Dept.

**Action Taken:**

- a. Consider and adopt Environmental Assessment No. R-03-56, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR No. 10130)

**Action Taken:**

- b. **BILL** - Amending the Official Zone Map to rezone from the AE-5/UGM (*Exclusive Five Acre Agricultural/Urban Growth Management*) zone district to the R-1-A/UGM (*Single Family Residential/Urban Growth Management*) zone district on the northern 8.06 acres and the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district on the southern 9.06 acres

**Action Taken:**

**10:05 AM #3 HEARING** to consider Rezone Application No. R-04-12, and environmental findings, filed by Larry Rosa, for a 0.53-acre parcel of land located on the southeast corner of N. Maple and E. Omaha Avenues **(Property located in District 6)** - Planning and Development Dept.

**Action Taken:**

- a. Consider and adopt Environmental Assessment No. R-04-12, Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130)

**Action Taken:**

- b. **BILL** - Amending the Official Zone Map to rezone from the AE-5/UGM (*Exclusive Five Acre Agricultural/ Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential*) zone district

**Action Taken**

**10:15 A.M. RESOLUTION** --Expressing interest and direction in pursuing an agreement for international air service and superseding Resolution No. 99-137 - Council President Castillo

**Action Taken**

**10:30 AM #1** **CONTESTED CONSENT ITEMS**

**TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**10:30 AM #2** **CLOSED SESSION**

- A. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION** - Government Code Section 54956.9, Subdivision (a)
1. **Case Name:** Elena N. Tsuchiya v. Thyssenkrupp Elevator Corporation, City of Fresno
- Action Taken:**

**10:30 AM #2** **CLOSED SESSION CONTINUED**

- B. CONFERENCE WITH REAL PROPERTY NEGOTIATORS** - Government Code Section § 54956.8
- PROPERTY:** One parcel, (APN 450-154-01), located at 761 W. Hammond Avenue, City of Fresno, owned by Rosa E. Soloria
- CITY NEGOTIATORS:** Assistant City Manager Jon Ruiz and Interim Public Works Director Mike Kirn
- NEGOTIATING PARTIES:** Rosa E. Soloria and Charlie Clark
- UNDER NEGOTIATION:** Review of appraisal and direction to staff
- Action Taken:**

**10:30 AM #3** **CLOSED SESSION ANNOUNCEMENTS (IF ANY)**

**11:00 AM - 5:30 PM** **HEARING regarding the FY 2004-2005 Budget**

1. \* **RESOLUTION** - Adopting FY 2004-2005 City of Fresno budget, including the Community Development Block Grant (CDBG) budget, and including the Annual Appropriation Resolution (AAR)
  2. \* **RESOLUTION** - Adopting the FY 2004-2005 Position Authorization Resolution (PAR)
  3. \* **RESOLUTION** - Adopting the \_\_\_\_\_ amendment to the Master Fee Schedule (MFS) Resolution No. 80-420 (annual amendment)
  4. \* **BILL** - (For introduction and adoption) - Adopting the Property Tax Override (PTO) Ordinance
  5. \* Selection of methodology for determination of FY 2004-2005 Gann Appropriation Limit
  6. \* **RESOLUTION** - Establishing rules for the application of City employee compensation rates and schedules and related requirements, and establishing compensation rates and schedules - FY 2004-2005 Salary Resolution
- Action Taken:**

**Department Presentations/Council consideration (as time permits):**

1. Public Works Department
  2. Parks and Recreation
  3. Convention Center
  4. General City Purpose
  5. Police Department
- Action Taken:**

2. **GENERAL ADMINISTRATION**

- A. \* Approve Professional Services Agreement with Blair, Church, and Flynn Consulting Engineers for inspection, evaluation and design of remediation projects for the wastewater collection system - Dept. of Public Utilities  
**Action Taken:**

3. **CITY COUNCIL**

- A. Direct staff to change the designation of Basin B - F from Groundwater Recharge Basin to Basin Park designation - Councilmember Dages  
**Action Taken:**
- B. Direct City Manager to make an offer of free land in Roeding Park, adjacent or near the Chaffee Zoo, to Aquarius Institute, of sufficient size to accommodate the construction and operation of an aquarium project - Councilmember Duncan  
**Action Taken:**

**PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.  
Presentation limited to three (3) minutes.**

- A. **SCHEDULED PUBLIC COMMENT -**
- B. **UNSCHEDULED COMMUNICATION -** Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

May	25 -	10:00 A.M.	<b>CONTINUED HEARING</b> regarding Community Facilities District No. 2, Annexation No. 68 Final Tract Map No. 5163 -Public Works Dept.
May	25 -	11:00 A.M. - 5:30 P.M.	<b>CONTINUED BUDGET HEARINGS</b> Planning and Development, Fire, Airports, Finance and Economic Development
June	1 -	<b>NO MEETING - MEMORIAL DAY</b>	
June	8 -	11:00 A.M. - 5:30 P.M.	<b>CONTINUED BUDGET HEARINGS</b> General Services, Information Services, Transportation, Public Utilities and Personnel Services
June	15 -	11:00 A.M. - 5:30 P.M.	<b>CONTINUED BUDGET HEARINGS</b> CDBG, Mayor, City Council, City Attorney, City Clerk and City Manager

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

**June 15 - 4:00 P.M. HEARING** re: appeal re: CUP Appl. No. C-02-226, filed by Wilkins Enterprises (Council District 2) - Councilmember Calhoun

**June 22 - BUDGET ADOPTION**

**June 29 - 10:00 A.M. HEARING** re: CFD No. 2, Annexation No. 70, Final Tract Maps 5096

**June 29 - 10:05 A.M. HEARING** re: CFD No. 2, Annexation No. 71, Final Tract Maps 5220

**July 6 - NO MEETING - COUNCIL VACATION**

**July 13 - NO MEETING - COUNCIL VACATION**

**July 15 - 2:30 P.M. WORKSHOP** re: ADA Advisory Council - Public Works Dept. (1 Hour)

### **FUTURE WORKSHOPS** *(Dates to be determined)*

**WORKSHOP** re: Consideration of additional services to be provided by Community Facilities Districts in the City of Fresno - Public Works Dept.

**WORKSHOP** re: Urban forest - Parks, Recreation and Community Services Dept. and Public Works Dept. -

**JOINT WORKSHOP** regarding Caltrans and City Partnership - Public Works and Planning and Development Depts. - Council President Castillo

**WORKSHOP** re: Bike Advisory Committee - Public Works Dept.